

## **SKY CAC LIMITED**

### **PRIVACY NOTICE FOR THE PROTECTION OF PERSONAL DATA**

SKY CAC LIMITED ("SKY CAC") is committed to protecting your personal data. SKY CAC will collect, process and use your personal data in compliance with the Law Providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018 (Law 125(I)/2018) (hereinafter the "Law") as amended and/or replaced from time to time, the provisions of Regulation (EU) 2016/679 (hereinafter the "General Data Protection Regulation" or "GDPR") and any other legal and/or regulatory requirements.

#### **1. Purpose of this Privacy Notice**

The purpose of this privacy notice is to provide you with information about the processing of your personal data within the context and/or in view of a business relationship with regard to a product or service of SKY CAC. Furthermore, through this privacy notice you are being informed about your personal data protection rights, as prescribed by the current legislative and regulatory framework.

The type of data we collect, and the purpose of their processing depends largely on the type of products and services you have requested or that have been provided to you, or based on the relationship you maintain with SKY CAC.

For instance, if you are an authorized representative/agent of a legal entity or of a natural person which/who is a customer or prospective customer, or a beneficial owner of a legal entity which is a customer or prospective customer, or a non-customer counterparty in a transaction of a customer, we shall need to collect and process your personal data which may include amongst others, identification data such as surname, forename, identity card/passport number, date and place of birth and nationality, communication data, account identification data, whether you are a politically exposed person, FATCA/CRS information, and authentication data (e.g. signature). In the event that you are a prospective or present guarantor for a credit facility, information collected may also include, amongst others, economic data such as property and earnings data.

#### **2. Who is responsible for the data processing and who you can contact**

The entity responsible for your data processing is:

SKY CAC LIMITED

20 Costi Palama,  
Aspelia Court,  
1096, Nicosia,  
Cyprus

Website: [www.skycac.com](http://www.skycac.com)

The contact details of the Data Protection Officer of SKY CAC are:

Email Address: [dpo@skycac.com](mailto:dpo@skycac.com)

If you have any questions or require more details about how we use your personal information, you may contact us at the above contact details.

#### **3. What personal data we process and where we collect personal information from**

We process personal data that we receive from you in the context of our business relationship. In case of alteration(s) to your details, you must inform SKY CAC promptly.

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To the extent necessary in order to provide our services we also process personal data obtained from publicly available sources such as the Department of Registrar of Companies and Official Receiver, the Land Registry, commercial registers, the media and third parties we cooperate with (e.g. insurers, introducers, advisers, legal firms, tracing agencies, debt collection agencies, credit reference agencies, anti-money laundering prevention authorities etc.).

Personal data, or personal information, means any information about an individual from which that person can be identified. We may also sometimes collectively refer to e.g., collection, recording, retrieval, use, disclosure, erasure, or transmission of any data or set of data as “processing” of personal data.

Relevant personal data may include, amongst others:

- a) Identification data, such as surname, forename, identity card/passport number, tax identification number, date and place of birth, nationality, and other demographic data.
- b) Communication data, such as postal and e-mail address, landline, and mobile phone number.
- c) Economic data, property, and family status data, for instance profession, earnings, dependent family members, tax and income data.
- d) Data regarding failure to meet financial obligations, such as information regarding cheques that have not been honored, failure to make due payments on credit agreements, information regarding court proceedings and collections, bankruptcies, dismissal of debt orders and personal repayment schemes.
- e) Credit data, such as debts to credit and/or financial institutions.
- f) Credit profiling and credit scoring.
- g) Transactional behavior data, including, where applicable, internet browsing data (cookies).
- h) Data from your contract(s) with SKY CAC and your use of the products granted.
- i) Data on your knowledge and experience in the investment sector.
- j) Data relating to your identity, provided from devices or applications you use, such as the IP address, or other data provided through the devices used by you as location identifiers which, alone or in combination with unique identifying identifiers, may be used to identify you.
- k) Data relating to telephone communications with you, which may be recorded in compliance with legal requirements.

We wish to bring to your attention out that we do not process, without your explicit consent, personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, data concerning health or data concerning a natural person's sex life or sexual orientation, referred to as special categories of personal data in the GDPR. However, we cannot rule out the possibility that you yourselves share such information with SKY CAC.

### **4. Who we disclose your personal data to**

Nothing relating to your personal data will be disclosed to anyone, other than in the cases permitted by the legal and regulatory framework in force from time to time. These are:

- a) Where we (or any third party acting on our behalf) are legally compelled to do so.
- b) Where it is in our legitimate interests to disclose information (e.g. to protect us from loss or to recover any loss that we have incurred).
- c) Where disclosure is made at your request or with your consent or to satisfy our contractual obligations towards you.
- d) Where disclosure is required for purposes of compliance with the legal and regulatory framework governing and binding SKY CAC, such as, when it comes to disclosing information from correspondent banks about specific transactions to prevent money laundering and terrorist financing.

Your personal data may be shared with organizations and bodies including but not limited to:

- a) Regulatory and other authorities, within the context of their legal obligations and/or authorities.

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- b) Credit reference agencies (e.g., Artemis Credit Bureau Ltd), debt collection, tracing, and fraud prevention agencies.
- c) Valuations and surveyors for real estate valuation purposes.
- d) Any party linked with you or your business's product or service, such as guarantors and security providers.
- e) Independent financial and other advisors.
- f) Companies or individuals you ask us to share your data with.
- g) Natural persons and legal entities, to which SKY CAC assigns the execution of certain tasks on its behalf, including amongst others, insurance companies, call center companies, lawyers, law firms, notaries and bailiffs, mediators and mediation centers, experts, database management companies, risk management companies, research companies of communication and/or property data, file storage and record-keeping companies, market research, advertising and promotion companies acting on behalf of SKY CAC, as well as postal service providers, providers of services related to the development, maintenance and customization of IT applications, e-mail service providers, companies providing web-hosting services, including cloud services, companies providing specialized payment services.
- h) Banks and other financial institutions and payment service providers based in Cyprus or abroad which have been licensed and operate legally, for the purpose of facilitating (i) the execution of transactions to and from your accounts and (ii) the provision of services you request.
- i) Institutions offering co-financing, financing, or provision of guarantees, where appropriate, such as the European Investment Bank and the Republic of Cyprus.
- j) Natural or legal persons with which we have contracted, amongst others, for the provision of services to us, including services relating to the operation of your accounts and the provision of services to you, and which are bound by confidentiality provisions or professional secrecy obligations.
- k) If you apply for an insurance policy offered by an insurance company, we may pass your personal or business details to the insurer.

We may also share your personal information in case that we choose to sell, transfer, or merge parts of our business, or our assets, or seek to merge with other companies.

### 5. Why do we process your data (purpose of processing) and on what legal basis

We process the aforementioned personal data in compliance with the provisions of GDPR, applicable local legislation as amended and/or replaced from time to time as well as any other relevant legislation, rules and/or regulations.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

We process your personal data for one or more of the following reasons:

- a) For compliance with legal obligations

As a regulated credit acquisition company, we are subject to various legal obligations (e.g. in relation to anti-fraud and anti-money laundering) as well as banking regulatory requirements (as set by e.g. the European Central Bank or the Central Bank of Cyprus).

- b) For performance of a contract

The processing of personal data is carried out in order to perform transactions and provide financial services pursuant to contracts with you or to take steps at your request prior to entering into a contract. The purposes of the data processing are primarily dependent on the specific product granted to you and the contract terms and conditions provide more details concerning the relevant purposes.

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### c) For safeguarding legitimate interests

Where necessary, we process your data in order to safeguard our legal interests. Examples of such processing include but are not limited to:

- i. Receiving from and/or exchanging data with credit reference agencies to determine credit or default risks.
- ii. Asserting legal claims and mounting a defence in the event of litigation.
- iii. Preventing criminal acts.
- iv. Actions to manage our business and further develop services and products.
- v. Safeguarding the company's IT security and IT operations.
- vi. Image data from the video recording systems at SKY CAC's premises for the protection of the property, safety and physical integrity of SKY CAC's employees, customers and visitors.
- vii. Image data of immovable property taken by valuers in the context of property valuations.
- viii. Performing land registry searches for restructuring non-performing loans.
- ix. Transferring, assigning (whether outright or as security for obligations) and/or selling to one or more persons (including the Central Bank of Cyprus) of, and/or charging and/or placing an encumbrance over any or all of SKY CAC's, title or interest under any agreement between you and SKY CAC.

### d) On the basis of your consent

Insofar as you have granted your consent for the processing of your personal data for marketing purposes, the lawfulness of such processing is based on your consent.

Any such consent granted may be revoked at any time by contacting SKY CAC. Nevertheless, this will not affect the lawfulness of any processing that was carried out prior to the withdrawal of your consent.

## 6. How long we keep your personal information for

Your personal data will be kept for as long as you are a customer of SKY CAC and/or for as long as you maintain any type of relationship with SKY CAC.

When your relationship with SKY CAC ends, we may maintain your personal data for a period of up to ten (10) years. Your data may be kept for longer than the said period if it is not possible to be deleted due to legal and/or regulatory and/or technical reasons. If we do so, we will ensure that your privacy is protected and the data is used only for the purposes stated in paragraph 5 above.

We also note that if, by the expiration of the above period, there are on-going judicial proceedings with SKY CAC concerning directly or indirectly the customer, then, the above period for the retention of the data will be extended until a final judicial decision is issued.

In case you provide us with personal data for the purposes of becoming a customer of SKY CAC but for any reason whatsoever you do not become a customer, we shall maintain your personal information for a period of up to six (6) months from the date of notification of the rejection of your application for banking services and/or credit facilities, or from the date of withdrawal of such application, in accordance with directives issued by the Cyprus Commissioner for the protection of personal data.

In all respects, where a shorter or longer time period for the retention of data is provided for by law or regulatory acts, the retention period mentioned above will be reduced or increased proportionately.

## 7. Data transferred to a country outside the European Union

SKY CAC may transfer your personal data to countries outside the European Union (third countries) in the following cases:

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- a) Where the European Committee has issued delegated acts for the adequate protection of the personal data in the specific country or to an international organisation.
- b) Where you have been specifically informed and have provided your explicit consent to SKY CAC and the other conditions of the legislative framework are met.
- c) Where such transfer is necessary to establish, exercise or support legal claims or defend the rights of SKY CAC .
- d) Where there is an obligation under a legal provision or a transnational or international convention.
- e) In the context of complying with obligations on the automatic exchange of information in the tax area, as these result from the regulatory framework.

For the fulfilment of the obligations set out in (d) or (e) above, SKY CAC may transfer your personal data to relevant national authorities so that they can convey them to the relevant third country authorities.

### 8. What data protection rights you have

The following are the rights you have pursuant to the provisions of the GDPR as well as any other relevant legislation in relation to data protection:

- a) Right of access. You have the right to know which of your personal data are being kept and processed by SKY CAC.
- b) Right to rectification. If you realize that the data we hold about you are incomplete or inaccurate, you have the right to request their correction and/or completion. In such a case, in order to verify the accuracy of the new data, we will ask you to provide any necessary document from which the need for completion or correction arises. Either way, this constitutes an obligation of every customer.
- c) Right to erasure. You have the right to request the erasure of your personal data where there is no valid reason for us to continue their processing. However, please note that we may not always be able to comply with your deletion request due to specific legal reasons, which will be communicated to you.
- d) Right to object. You have the right to object to the processing of your personal data, at any time and for reasons related to your particular situation, where the legal basis for such processing are SKY CAC's legitimate interests. In the event that you exercise such right, your data will cease to be processed, unless SKY CAC proves compelling and legitimate reasons, which override your interests, rights and freedoms.
- e) Right to restrict processing. The said right applies in the following cases: (i) your personal data are not accurate; (ii) where processing may be unlawful, however you do not want us to erase your data but rather to restrict it; (iii) where you need us to hold the data even if we no longer require it; or (iv) where you may have objected to our use of your data but we need to verify whether we have legitimate grounds to use it.

If you exercise the abovementioned right, the data in question, other than being stored, will be processed only with your consent or for the establishment, exercise, or support of legal claims, or for the protection of the rights of another natural or legal person, or for important public interest reasons in the European Union or member state.

- f) Right to data portability. You have the right to receive a copy of your personal data in a structured, commonly used and machine-readable format. You may even ask SKY CAC to transfer your data to any other data controller of your choice.
- g) In case that the processing of your personal data is based on consent, you may withdraw such consent at any time. Nevertheless, this will not affect the lawfulness of any processing that was carried out prior to the withdrawal of your consent.
- h) In case of an automated decision-making, as per paragraph 10 below, you have the right to request the review of such rejected request, with human intervention.

The exercise of the aforementioned rights is free of charge. However, we note that SKY CAC may charge an operational fee in cases where your requests are deemed to be unfounded or excessive, in particular due to their repetitive nature.

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We draw your attention to that fact that SKY CAC has, in any case, the right to refuse a request regarding the restriction of processing or the erasure of customer data if the processing or maintenance of such data is necessary for the establishment, exercise or support of SKY CAC's legitimate interest, its legal rights or for SKY CAC's compliance with its legal obligations.

The exercise of the right to data portability which takes place under the conditions laid down in the preceding paragraph, does not imply the immediate erasure of the data from the records of SKY CAC.

### **9. If you choose not to provide your personal information**

In the context of our business relationship we may need to collect personal information due to legislative or regulatory obligations, or under the terms of a contract we have, or that we may potentially enter into, with you. Without this data, we will not be able to enter into or to perform the terms of a contract with you, including the execution of transactions to and from your account, neither to provide you with our services. Where data collection is optional, it will be pointed out to you at the point of collection.

### **10. To what extent we use automated decision making and profiling**

SKY CAC does not make decisions solely on the basis of automated processing.

Please be advised that part of your data may be automatically processed as part of our assessment of certain personal aspects (profiling), indicatively for the following purposes:

- a) Credit scoring.
- b) Assessments for the purpose of combating money laundering and fraud.
- c) Marketing of new products and services of SKY CAC or of third parties cooperating with SKY CAC, as long as you have given your consent.

### **11. Lodging a complaint**

In case that you are not satisfied with the way we process your personal data you can contact us using the information mentioned in paragraph 2 above. Furthermore, you have the right to lodge a complaint with the Office of the Commissioner for Personal Data Protection.

### **12. Cookies**

When you visit our website, our system automatically collects information about your visit, such as your browser type, your IP address, and the referring website. You can set your browser not to save any cookies of this website and you may also delete cookies automatically or manually. However, please note that by doing so you may not be able to use all the provided functions of SKY CAC's website in full.

For more information on how cookies are used, you may refer to SKY CAC's Cookie Policy, which is available on SKY CAC's website, at the following link: [Cookie Policy](#)

### **13. Changes to our privacy notice**

We may amend this privacy notice from time to time. In case of changes, we will provide a relevant update and modify the date of issue of this privacy notice accordingly. The revised version of the privacy notice will be available on SKY CAC's website [www.skycac.cy](http://www.skycac.cy). We recommend that you refer to it periodically so that you remain well informed on how we protect and process your personal data.

Date 09/2023